

**Iowa Department of Natural Resources
Natural Resource Commission**

ITEM

5a

DECISION

**TOPIC Missouri River, Pottawattamie County -- Gibson Bend/Interagency
Transfer of Jurisdiction U.S. Highway 275**

The Natural Resource Commission's approval is requested for a "Real Estate Agreement and Interagency Transfer of Jurisdiction" and "Temporary Easement Purchase Agreement" as a result of a project for replacement of the U.S. Highway 275 bridge over the Missouri River. This improvement project extends from near 16th Street in Omaha, Nebraska, east to 1.11 miles east of the Iowa/Nebraska State line. Consideration for this permanent transfer of jurisdiction is Mutual Benefit.

As a result of the highway improvement project the "off-highway vehicle" (OHV) parking lot that serves the IDNR-owned River Valley ATV Park (Park) will be impacted. The impact to the OHV parking lot will be mitigated as set forth in a Memorandum of Agreement (MOA) and required in the Environmental Impact Statement (EIS) and Record of Decision (ROD).

The MOA originally placed the parking lot west of the levee, but the location was amended in the ROD to the east side of the levee. In lieu of the DOT acquiring additional right-of-way for the parking lot on the east side of the levee, the IDNR agrees to pay for all costs to install the security fence, security gates, and security lighting for the parking lot. The IDNR will reimburse the DOT for all costs of these items upon completion of construction of the mitigation area.

The mitigation area is to be approximately 489 feet by 330 feet and provide 142 parking stalls; be paved with 6 inches of Hot Mix Asphalt pavement on a 12-inch aggregate base; and include an access road from U.S. Highway 275 and parking lot entrance from the access road that is paved 24 feet wide.

A temporary access from the new OHV parking lot to the Park for the use during construction of the bridge will be constructed. Upon completion of the bridge project, a permanent access trail will be constructed to provide two-way traffic for users to access the trails and training area. The permanent access will be paved with 6 inches of HMA on a 12-inch aggregate base. The access road, parking lot, and temporary access to the Park are to be constructed prior to the removal of the current access and parking lot.

The DOT and DNR will cooperate on the mitigation of the OHV parking lot in accordance with the following:

- The DOT agrees to purchase the mitigation area in the name of the State of Iowa, for the benefit and use by the DNR, at no cost to the DNR; design, let, and construct the mitigation area; and minimize any disruption to the use of the Park during construction.

- The DNR agrees to accept title to the mitigation area; allow the DOT to complete construction within the mitigation area; coordinate with the city of Council Bluffs and the River Valley Trail Riders, and act as their representative for all project development issues; and reimburse the DOT for the actual costs to construct and install the security fencing, security gates and security lighting for the parking lot.

Said real estate agreement and interagency transfer of jurisdiction is authorized by Chapter 28E and Sections 306.4, 306A.5, and 306A.7 of the Iowa Code.

Attachment

Linda Hanson, Administrator
Management Services Division
March 8, 2007

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5b

INFORMATION

**TOPIC Loess Hills State Forest, Headquarters Unit, Harrison County –
 Melanie and Chester Miller**

The Department was the successful bidder at a land auction of a 0.26-acre tract of land in Pisgah on February 17, 2007. Denny Stoner represented the Department at the land auction with a successful bid of \$4,500. Rick Hansen, Licensed Appraiser, estimated the value of the tract at \$6,000 prior to the auction. The sellers of the property are Melanie and Chester Miller.

The Natural Resource Commission approved a representative of the Department to attend this land auction and bid on the property in closed session at its meeting in Des Moines on February 8, 2007.

This 0.26 acre tract (approx. 60 Ft. by 160 Ft.) consists of 2 abutting rectangular-shaped lots zoned for multi-use. The property has street frontage/access on the east side. Currently, there is an abandoned trailer home and a small storage shed that will sell as part of the realty. These buildings are of no market value.

The property is located adjacent north of the Loess Hills Headquarters Unit in Pisgah. In November 2005, the Natural Resource Commission approved the purchase of a 1-acre tract containing a large steel Quonset building from Harrison County at a price of \$28,600. We closed on this tract in February 2006. This past acquisition is adjacent south of the tract acquired at public auction.

This acquisition will buffer the Headquarters Unit from other landowners; eliminate the need for a fence; add additional parking and storage, and continue building of community relations (property clean-up).

Acquisition funding will be provided by 100% REAP Open Spaces. No survey or fencing costs is anticipated. Incidental closing costs will be the responsibility of the Department.

Attachment

Linda Hanson, Administrator
Management Services Division
March 8, 2007

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5c

DECISION

**TOPIC Sandy Point Bend Wildlife Management Area, Harrison County –
Papio-Missouri River Natural Resources District**

The Natural Resource Commission's approval is requested to sell a tract of land located on the Nebraska side of the Missouri River in Harrison County. The Papio-Missouri River Natural Resources District (NRD) offers to purchase this 321-acre tract, less the banks and the bed of the Missouri River as it presently exists for the appraised price of \$263,861. This divestiture will be subject to a public trust condition requiring that the parcel be held as public grounds for public conservation purposes.

Donald Kearn, Licensed Appraiser of Atlantic, Iowa, submitted the appraisal. Rick Hansen negotiated the sale agreement.

This tract is sovereign land lying westerly of the centerline of the Missouri River and easterly of the 1943 Iowa-Nebraska Compact Line. The property is located about 7 miles southwest of Mondamin. The State of Iowa will retain approximately 70 acres (reflecting the banks and the bed of the Missouri River) of the surveyed 321 acre tract. The level tract is comprised of softwood timber and grassland. There are no building improvements. Access to the property is extremely limited from the Nebraska side of the Missouri River.

The proceeds from this sale will be earmarked to purchase Missouri River floodplain property on the Iowa side of the river next to existing state land. The Department will pay for a land survey, if required. No fencing costs are anticipated. Incidental closing costs will be the responsibility of the Papio-Missouri River NRD.

Attachment

Linda Hanson, Administrator
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March 8, 2007

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DECISION

**TOPIC Little Sioux Bend Wildlife Management Area, Harrison County –
Papio-Missouri River Natural Resources District**

The Natural Resource Commission's approval is requested to sell a tract of land located on the Nebraska side of the Missouri River in Harrison County. The Papio-Missouri River Natural Resources District (NRD) offers to purchase this 191-acre tract for the appraised price of \$185,835. This divestiture will be subject to a public trust condition requiring that the parcel be held as public grounds for public conservation purposes.

Donald Kearn, Licensed Appraiser of Atlantic, Iowa, submitted the appraisal. Rick Hansen negotiated the sale agreement.

This tract is sovereign land lying westerly of the west bank of the Missouri River and easterly of the 1943 Iowa-Nebraska Compact Line at Little Sioux Bend. The property is located about 2 miles southwest of Little Sioux. This level tract is comprised of softwood timber and grassland. There are no building improvements. Access to the property is extremely limited from the Nebraska side of the Missouri River.

The proceeds from this sale will be earmarked to purchase Missouri River floodplain property on the Iowa side of the river next to existing state land. No surveying costs or fencing costs are anticipated. Incidental closing costs will be the responsibility of the Papio-Missouri River NRD.

Attachment

Linda Hanson, Administrator
Management Services Division
March 8, 2007

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5e

DECISION

TOPIC Waterman Creek Prairie, O'Brien County -- The Nature Conservancy

The Natural Resource Commission's approval is requested for the acquisition of a tract of land located in O'Brien County. This 78-acre tract is offered by The Nature Conservancy for the appraised price of \$197,000.

Rich Vander Werff and Kally Mouw, Licensed Appraisers of Wander Werff and Associates, Inc., Sanborn, Iowa, submitted the appraisal. Jerry Gibson negotiated the purchase agreement.

The property is located approximately four miles northwest of the town of Peterson overlooking the Little Sioux River, and surrounded on three sides by the Waterman Creek Prairie Wildlife Management Complex. The tract is accessible from a local county road on the north side of the main body of the tract. The property consists of 26.4 acres of tillable land, 49 acres of woodland and prairie, and 3 acres of road right-of-way and waste. This parcel will improve public access and wildlife/prairie management. The Nature Conservancy classifies the native plant communities on the site as Northern Little Bluestem Gravel Prairie and Northern Bur Oak Openings. Both plant communities are very uncommon within the region and are listed as a priority within the Nature Conservancy's Northern Tallgrass Ecoregional Plan.

The property will managed by the Wildlife Bureau. No fencing or surveying costs are anticipated. The CSR rating just for the tillable acres is 67.

Seventy-five percent (\$147,750) of acquisition funding will be provided from the REAP-Public/Private Fund, and 25% (\$49,250) will be donated by the O'Brien County Sportsman's Club. Incidental closing costs are the responsibility of the Department. The property will remain on the O'Brien County property tax rolls with annual payment from the REAP fund.

Attachment

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March 8, 2007

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5f

DECISION

**TOPIC Sweet Marsh Wildlife Management Area, Bremer County -- Leo
 Sauerbrei**

The Natural Resource Commission's approval is requested to purchase a parcel of land located in Bremer County, adjacent to the east side of Sweet Marsh Wildlife Management Area. The 81-acre parcel is offered by Leo Sauerbrei for the appraised price of \$77,000.

William Burkle, Licensed Appraiser, of Hampton, Iowa, submitted the appraisal. Travis Baker negotiated the purchase agreement.

This property is located in north central Bremer County, Iowa. The small rural community of Frederika is approximately five miles northwest. The topography ranges from nearly level to gently sloping. The NRCS is in the process of acquiring a WRP easement on the property. The DNR will then purchase the residual or remaining property rights.

The property has good potential for deer, turkey, waterfowl and furbearer habitat. This acquisition will become part of the 2,400-acre Sweet Marsh Wildlife Management Area and will be managed by the Conservation and Recreation Division in accord with the area management plan.

Funding for the acquisition will be provided by the North American Wetlands Conservation Act (NAWCA) (see Capital Link item #5). Survey and incidental closing costs will be the responsibility of the Department.

Attachment

Linda Hanson, Administrator
Management Services Division
March 8, 2007